

# Office of Elementary and Secondary Education Webcast

## “Title I Fiscal Issues: Comparability”

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### **Susan Wilhelm**

Group Leader, Policy Coordination Team, Title I Program Office

### **Kay Rigling**

U.S. Department of Education, Title I Program Attorney

### **Sandy Brown**

Program Analyst and Allocations Specialist,  
Policy Coordination Team, Title I Program Office

### **Kim O’Neal**

Program Analyst, Monitoring and Audits Group, Title I Program Office

#### **Susan Wilhelm, Moderator, U.S. Department of Education, Title I Program Office:**

The next item that we are going to talk about is what districts need to do to make sure that Title I schools get their fair share of state and local resources. This is what comparability is about.

#### **Sandy BROWN, Title I Program Office:**

Well, as Susan indicated, a district may receive Title I funds only if it uses state and local funds to provide services to Title I schools that are, essentially “comparable,” or “the same” as, when taken as a whole, to the services that are provided at the local level to non-Title I schools.

In other words, this is a way to ensure that Title I schools are not discriminated against in the distribution of local resources because they are Title I schools when compared to non-Title I schools.

This, again, is an issue to try and make sure that Title I funds are supplemental, in addition to what is already being provided, or which should already be provided by the

school district at that particular school site.

**Susan WILHELM:**

But isn't it also true that comparability is basically a fundamental requirement that has to be met in order to even get Title I funds?

**Kim O'NEAL, Program Analyst, Monitoring and Audits Group, Title I Program Office:**

Yes, yes. The one thing that I'm seeing a lot in the field with regard to comparability, I don't know if it's confusing in the law, but this is something that a district must do annually. A state is required to receive information on the comparability of schools bi-annually, every two years, so what our office, our program, is trying to make sure that states are aware of, that this is something that has to be done every year prior to any LEA receiving its funds.

**Susan WILHELM:**

Kay, could you talk a little bit about how folks demonstrate that they've met comparability. There are different formulas, aren't there, for what they can do?

**Kay RIGLING, Title I Program Attorney:**

Well, the statute itself, talks about one way to demonstrate comparability. And that is, if a district has established, or implemented, a district-wide salary schedule, it has a policy to ensure equivalence among its teachers, its administrators, and its other staff, and it has a policy to ensure equivalence among instructional supplies and curriculum.

Now, that's not though, the only way that a district can demonstrate comparability. And, in fact, probably the most common way, that a district demonstrates comparability, is through what we call staff-student ratio.

For example, a district might get an average of its non-Title I schools, and determine that it has 21 students per staff member. And then, in order to demonstrate comparability, that district would have to show in each Title I School, that it has no more than 21 students per staff.

Now one thing I think that is important to understand here is that, we don't define what staff are included in a comparability determination. And I would really encourage states to think about that. Because I know in one monitoring visit, the team found that, paraprofessionals were being considered comparable with teachers.

And so the result was that in some Title I schools, they would have a number of paraprofessionals, rather than teachers, compared to non-Title I schools where they had actually more teachers. And I think in the "No Child Left Behind Act" in particular, they

make it very clear that paraprofessionals may not provide direct instruction.

So, I think there's a real question, whether a paraprofessional is comparable to a teacher. And perhaps the state would want to set a rule that would count a paraprofessional as half of a teacher when determining comparability under this particular method.

**Kim O'NEAL:**

And to piggyback on Kay's statement, that's one of the things as a monitor, we have to go out and look at: definitions. So, it's important to have a comparability procedure in place, and to define what is non-instructional staff. What do you consider a non-instructional staff to be? What is a paraprofessional to you?

We use these terms every day, but they are not always the same definition from state to state. So, I think that was an important point.

**Kay RIGLING:**

I think it's important for states to have rules as to how LEAs can document comparability. And, include in those rules, what an LEA may consider as instructional staff.

There are other ways, too, that a district might document comparability. Some districts use salaries of their instructional staff per pupil. And, when they do that, they can exclude longevity from those calculations. So, that a school that has more experienced teachers, doesn't necessarily become disadvantaged from a school that has less experienced teachers.

Another way that I don't know how often it's used, but it's certainly something that a district might want to consider is, looking at total expenditures in the school per pupil. That way, you get away from the student-staff ratio concept. And it might be important if the district gives its schools a lot of autonomy to determine whether they want to put their resources in staff, or whether they want to put their resources in something like technology.

Another way of doing it is looking at whether the district has an allocation plan for distributing its resources. Sometimes an allocation plan, is a per se way of determining comparability. For example, there are districts that allocate resources on the basis of numbers of students. And they may have a base expenditure per pupil. And then if a student has other characteristics, such as a disability, or the student is limited English-proficient, or the student is poor, the district might allocate additional resources to schools to educate students that traditionally may be considered more difficult to educate. If a district has a plan like that, and actually implements that plan fairly, that might be a per se way of determining comparability.

So, there certainly are a variety of ways for a district to determine comparability. And the

district should look at the make up of its schools and determine what way works best for the district.

**Susan WILHELM:**

One thing I wanted to go back to is monitoring because I think there's been some findings around this issue, particularly in the area of timing. Kim or Sandy, would one of you like to talk about that?

**Sandy BROWN:**

Well, I know that in a couple of the states that we have visited, the school district really has not, in a timely manner, done the "comparability." The comparability calculations need to be done every year, and it should be done early in the school year, so that if there are issues with non-comparability, that the school district can make the adjustment within the school year before it ends.

It is very important that this take place early in the school year so that adjustments can be made so that the school district, by the end of the year, is in fact, comparable.

**Susan WILHELM:**

But, it's also, one of the things I want to reinforce, is it's an absolute requirement for receiving Title I funds. You're supposed to have done this prior to getting your allocations, isn't that right?

**Sandy BROWN:**

That's correct. This is not something that a state wants to look at after the fact through the A133 audit process, or something like that. This is something that should be monitored every year to ensure, or at least, school districts have to do the comparability calculations every year. Although the law basically says that they only have to turn in those calculations to the state every two years, still it has to be done yearly.

**Kay RIGLING:**

I think Sandy makes an important point too, that, if a district determines that its Title I schools are not comparable, the district needs to make adjustments. And that's why it's so important to look at this early, because it can then make adjustments during the period of availability of the funds.

**Susan WILHELM:**

Kay, can you talk a little bit more about how it works when you're calculating comparability, the fact that it is a condition of receiving Title I money, but, it sounds to me like what you're saying, is that a district actually has - as long as they, a district says

that they've identified a problem early- they've got some time to fix it.

How does that work? How can it be both a pre-condition, and something that they can work on over time?

**Kay RIGLING:**

I think that's a really good question. Probably, what a district should do, is when it's planning its Title I program for the subsequent year, it should plan it so that, in fact, its Title I schools have the level of state and local resources that its non-Title I schools do. Depending upon the type of comparability measure they're using, it may not be possible though, to actually verify whether those Title I schools are comparable, until after the beginning of the next school year.

For example, if you're using student-staff ratios, you really don't know whether you've met comparability until you actually see what your actual enrollment of the school is. And, so that, probably, if a district is using student-staff ratio, they should have a point in time early in the school year, maybe the beginning of October, after their enrollment settles down, when they would check to see if their Title I schools were comparable.

If they are not, the district then has a responsibility to move staff around, so that the Title I schools are comparable. It is important that it does it, so that the schools are comparable for most of the school year.

**Sandy BROWN:**

Let me ask you one question, Kay. You mentioned earlier about, you know, an LEA, that's Local Educational Agency, for the uninitiated. Sorry, I lapse into jargon. A school district meets comparability, if it files with the state, some sort of written assurance, that, in fact, they have established a district-wide policy, or, in fact, there is a policy to assure equivalency, and all that kind of stuff.

It seems to me that having the policy is great, but, as the old saying goes, "trust, but verify." And, it seems to me, that the school district also has to have something to back up, some statistical measure to ensure that this, in fact, has happened. And just having a policy itself just isn't enough.

**Kay RIGLING:**

I think that's really important, and that's why the statute says, establish a policy, and implement it. And, a district needs to have documentation that shows that it did, in fact, implement its policies, implement its district-wide salary schedule, so that someone coming in, either the state, or, the federal department, or an auditor, can actually look to see that its comparability policy, was, in fact, implemented properly.

**Sandy BROWN:**

For comparability, there are a couple of things that can be taken off the board, if you will, certain exclusions that you don't have to include. What are those, exactly? Things like, other federal funds, local funds, that are Title I-like in nature, those kinds of things?

**Kay RIGLING:**

Right. They can exclude supplemental state or local funds that are spent for a program that is Title I-like. And we can talk about that maybe, a little bit later, after we finish supplement, not supplant.

**Susan WILHELM:**

Right.

**Kay RIGLING:**

They can also exclude supplemental funds that they spend for services for limited English-proficient students, and excess funds that they spend for students with disabilities. Those are over and above sort of the average expenditures for students in general.

And again, I think that's because those students are considered maybe more difficult to educate. They might take extra resources. Those extra resources can be taken off the top of a comparability calculation.

**Sandy BROWN:**

And, from the Federal perspective, we wouldn't want to discourage local school districts from using their own funds, or state funds to provide supplemental services to these at risk kids.

**Kay RIGLING:**

Exactly. I mean, I think a classic example would be if a state is using staff-student ratios, and they have self-contained classrooms for students with disabilities in the school, that have a much lower teacher-student ratio. The state or the district can take that into consideration, in determining comparability. That doesn't necessarily lower the student-teacher ratio for that school as a whole.

**Sandy BROWN:**

Also, another thing to keep in mind too, it just came to my mind, is that different types of schools can be separated out into comparability calculations. For example, a school district could choose to just compare elementary schools with other elementary schools, or high schools with other high schools. Or, if there is a large difference in the

enrollment, compare small schools with small schools, and large schools with large schools.

So, there's a lot of flexibility in the comparability requirement as to how you can calculate them, and I think that's another thing that the school districts need to keep in mind.

**Susan WILHELM:**

That actually raises another question. Let's say their Title I money is only in K-6? Do they just have to comparability among the schools that serve grades K-6, and can they ignore the middle and high schools?

**Sandy BROWN:**

Uh, yes. I mean, the idea is that you would compare the Title I, K through 6 schools with non-Title I, K through 6 schools.

**Susan WILHELM:**

So, who gets the money is a key factor in determining which schools have to be looked at.

**Sandy BROWN:**

That's right. There's also the issue, what happens in some school districts, all your schools are Title I schools. And, in a situation like that, then all the schools have to be comparable with each other.